

04/15/2003

1765142 - R8 SDMS



Sheldon Muller

04/15/03 05:47 PM

To: landlaw@telluridetelluride.com

cc:

Subject: Rico - Consent for Access

Ramon:

Attached is the Consent for Access form that we discussed on the phone yesterday and today. If the document appears in order, please print it and have your client sign and date it. If you have any questions or concerns, please call me.

As we discussed, EPA plans on commencing sampling tomorrow, Wednesday, April 16, 2003. If your client is unable to sign the document prior to that time, I would appreciate a phone call providing verbal approval to be followed by written approval through your client's signature on the attached form.

Thank you for your assistance in getting this done in such a short time frame.

Sheldon Muller
Enforcement Attorney
U.S. Environmental Protection Agency, Region 8
999 18th Street, Suite 300
Denver, CO 80202-2466
Phone: (303) 312-6916
FAX: (303) 312-6953
muller.sheldon@epa.gov



AccessRP4-03.do

Notice: This message may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please delete the copy you received and do not print, copy, retransmit, disseminate, or otherwise use the information.

CONSENT FOR ACCESS TO PROPERTY

Name of Property Owner:

Rico Properties, Limited Liability Company
11 S. Glasgow Ave.
Rico, CO 81332

Property Subject to Consent for Access:

The property subject to this Consent for Access ("Property") is located in or near Rico, Colorado and consists of real property in the vicinity of the St. Louis Tunnel (including the nearby settling ponds), the Blaine Tunnel, the Rico-Argentine mill, the Argentine tailings, the Columbia Tailings, and the Santa Cruz Mine Area. The Property includes the following claims and tracts of land:

<u>Claim or Tract</u>	<u>Patent No.</u>	<u>Mineral Survey No.</u>
Catskill	21923	7062
Denver	23428	7601
Bigstrike	23428	7601
Elliott Millsite	9764	1536B
Hardscrabble	27326	8070
Homestake and Little Cora Consolidated Placers	14903	410
Last Chance	27745	8622
Martha	1115034	20619
Mervyn	1115034	20619
Santa Cruz	25864	6132 AM
Burchard	27326	8070
RGS Tract		
Roys Tract		
RGS Tract South		
Tremble Tract East		

<u>Claim or Tract</u>	<u>Patent No.</u>	<u>Mineral Survey No.</u>
RGS Wye Tract		
Winkfield Tract East		
A.E. Arms Tract North		
F.G. Day Tract		
A.E. Arms Tract South		
Max Boehmer Tract		

I consent to officers, employees, and authorized representatives of the United States Environmental Protection Agency (EPA) entering and having continued access to the Property from April 16, 2003 through April 25, 2003 for the following purposes:

1. Conducting field inspections and investigations;
2. Taking samples of air, soil, water and materials stored or disposed of on or adjacent to the Property; and
3. Taking samples of any solids or liquids stored or disposed of on or adjacent to the Property;

I realize that these actions are undertaken pursuant to EPA's response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund), 42 U.S.C. § 9601 et seq.

I certify that I am legally authorized to grant the above-described access on behalf of Rico Properties, LLC.

Stanley A. Foster, Manager

Date